

ernment; and in the mean time all disturbances excited by any party would be suppressed by U. S. troops." On the 17th about 60 men made a sortie from St. Augustine, attacked the revolutionists, and obliged them to retire leaving their camp equipped 20 stand of arms, &c. It is said Gov. Mitchell supplied the revolutionists with other arms, and intended sending them some field pieces. It is a chance if the Americans are not found there by a British and Spanish force, and expelled by force of arms, from a country into which they have intruded in time of peace with the power to which it belongs.

## Legislature of Massachusetts.

### HOUSE OF REPRESENTATIVES.

THURSDAY, JUNE 4.

A memorial to Congress on the subject of PEACE and unrestricted COMMERCE, was read from the Chair, and passed:

YEAS - - 406 } Maj. 166  
NAYS - - 240 }

On Saturday, it was ordered to be signed by the Speaker, and forthwith transmitted to Congress, with a request that the Senators and Representatives of this Commonwealth in Congress use their utmost exertions to carry the object thereof into effect.

FRIDAY, JUNE 5.

At 12 o'clock the Senate met the House in convention, when His Excellency the Governor, attended, and delivered the following

## SPEECH:

Gentlemen of the Senate, and

Gentlemen of the H. of Representatives—

AS I have not been engaged in the public business of the State for the last five years, and had no expectation that I should again take a part in administering the government; I have paid no other attention to the proceedings of the legislature, or any public transactions than my duty as a private citizen required. I am therefore unable to lay before you the state of our affairs, or to suggest for your consideration those subjects of particular interest which in other circumstances might have occurred to me. But I have no reason to regret this inability; several of you gentlemen in each house have been many years employed in the government, and will readily discern what measures are necessary for the general good.

But though I have no particular knowledge of the late legislative proceedings, it is impossible for any member of the State to be ignorant, that a spirit of division has existed for several years, and has become prevalent, as to diminish individual happiness and endanger the tranquility of the Commonwealth.

The opinions of men are as various as their features, and there is generally no more cause of complaint in the one case than in the other. This difference of opinion would happen if all were furnished with the same evidence; but on many political subjects the evidence offered to different persons is not only diverse but opposite; it would be unreasonable, therefore to expect that all should think alike. If our information is wholly derived from one source, and that happens to be a partial one, our opinions may be honest, though it is hardly possible they could be correct.

In some cases this diversity of sentiment may promote the progress of truth. At least, it may teach us habitually, to practice that mutual forbearance without which conflict could not exist. But the danger arises from the warmth and eagerness with which political disputes are conducted. On such occasions men are tempted to violate the rules of decency, & call in question the rectitude of others, merely because of a difference in judgment. Such offensive imputations are injurious to the peace of the State, and threaten its future prosperity; for if party abuse should become general and indiscriminate, we shall lose one of the most powerful motives to meritorious conduct; the virtuous and vicious will be placed in the same light, and men of unblemished characters will wish to have as little concern in public affairs as possible, that they may preserve their reputation.

When parties are numerous, the individuals often appear to be but little apprehensive of reproach; they are apt to think that the rules of candor and even of truth may be dispensed with, in propagating their political opinions. But though the disgrace of each individual may be lessened when it is shared by many others, his personal guilt is the same as if he was the only offender; and the example thus furnished by associated numbers must have a pernicious influence on the morals of the whole people.

Should we at any time suffer ourselves to be influenced by a spirit of party, we shall be in danger of sacrificing the public good to our own attachments and animosities; and shall be incapable of discerning the use that may be made of our own precedents against ourselves. We may establish rules by which we shall obtain a momentary ascendancy; but which in the issue will prove injurious to our own interest, as well as to the peace and order of the State. If the party opposed to us should afterwards prevail, they will be tempted to retaliate with increased severity, in hopes of more durable possession of power. But it is in vain to expect that in a free government the predominance of a party can be preferred by disingenuous means; or that the peace of the commu-

nity can be maintained under retorted injuries and provocations. Such injuries will become more oppressive, and the provocations more aggravated, the oftener they happen, and if persisted in must eventually terminate in ruin.

These animosities have a direct tendency to weaken the State and render us incapable of self defence. Within a few years all the republics in Europe have become a prey to military force; and the people were divided into factions; and those who thought themselves oppressed, affixed a foreign power to overwhelm, both their oppressors and themselves, in one common ruin. The forms of government have been exchanged for despotism, and their names are blotted out from the list of nations.

The people of these States seem to have been placed by Providence, in a situation of peculiar safety. Our territory is sufficiently extensive either for security or convenience. We are remote from the nations of Europe, who for several years have been involved in a fatal and extensive war. As a commercial people we have had no intercourse with all of them, and as a neutral nation, must have expected, in such mighty conflicts, to suffer injuries from each. If however, the merchant finds that any branch of trade is too hazardous to be pursued with advantage, his own prudence will induce him to relinquish it. But I think we can have no reasonable motive to join in this ruinous contest, and thus imitate those Princes, who hazard all that is dear to their subjects, merely to display their spirit or gratify their revenge. We may possibly be engaged hereafter in just and necessary wars of self defence, and we hope never to be engaged in any other—but so long as the people are united in affection, there is no danger that any foreign power will think of reducing us to their dominion. This security will be diminished in the same proportion as the violence of party increases; for a faction with ten millions of men may be conquered as easily as one with ten thousand, if the people are divided, and one half are willing to assist in subjugating the other. Such divisions I presume are not any where cherished at the present time; but if the spirit of discord shall increase and become more exasperated, we may hereafter be as frantic with passion and as blind to our own interests, as those nations whose governments have been subverted by the violence or treachery of their citizens.

It would be difficult to enumerate all the mischiefs that flow from this spirit of party. We have seen that it alienates the minds of men from each other, and has a tendency to excite the most malevolent passions. History will inform us, that when under no restraint, it produces civil wars, and terminates in the destruction of free States. These considerations have been suggested by reflecting men of all parties; and it seems to be the duty of all, as far as their influence extends, to prevent an increase of the evil.

Nothing is of more importance to this purpose than a just and impartial administration of government. The principles of equity and justice are the foundations of society; and the great end of government is to provide that every citizen shall have his right. But if in making and executing the laws we disregard the rules of equal justice; if we endeavor to elevate one portion of the community and depress another, we lose sight of the object for which we became united, and render every principle that can be employed in the government of the State of no effect except fear and compulsion. In such cases the people never obey but with reluctance; nor shall we have any reason to complain if they are intractable. We are as much bound to preserve their rights as they to obey the laws; and until their spirits are broken they will make continual efforts to recover what belongs to them; for it is not in the nature of Freedom to submit without complaint to unequal regulations.

Our Constitution forbids any exclusive pretensions to the honors of the State; every class of men are entitled to partake of the same advantages and have an equal and common right; if this right is infringed we may be sure that sentiments of discontent and animosity will prevail. We ought indeed to select persons of ability and integrity for public employments; but if we make it a rule to advance only our political friends, we shall become the heads of a party, and be incapable of preserving with equity and moderation the rights of the whole people. In Monarchies the Prince is the source of all power and the fountain of honor and office; he therefore, thinks himself authorized, in appointing his subordinate officers, to reward the attachment and purchase the future support of his adherents. But in Republics the People are possessed of the sovereign power; & Legislators and Magistrates, elected by them, are bound to employ their authority for the common benefit. They have no right to consider the power delegated to them as their own property; or to make vacancies or appointments for selfish or party purposes. It appears to me, that political feuds would be endless and implacable;—the persons in office and their friends and retainers would employ every method to prevent any change in the Administration, while their rivals would be equally as-

siduous and eager to effect a change. From the frequency of our elections there would scarcely be any interruption in these struggles, and the longer they should continue, the greater would be their violence.

To check this party spirit, and promote union and harmony in the public Councils, and among our Fellow-Citizens, much may be done by the Members of the Government, as well in their private as public capacity; and without their influence and example, no attempts for this purpose will be likely to succeed. By a course of uniform and impartial conduct, we may perhaps convince the People, that our attention is employed for the benefit of all our Fellow-Citizens, without any preference of one party to another: That we are solicitous to establish a just proportion in their burdens and advantages: That of whatever denomination they are we will listen to their complaints when they are oppressed by the officers, or injured by the measures of Government; or when the laws themselves operate unjustly; and that those who are most distinguished for abilities and integrity, and the merit of their public services, will be appointed to office, without political favour or prejudice. If in this way we shall be able, in any degree, to restrain the rage of party, our successors will be encouraged to pursue the same course.

In our public transactions and debates I presume that we shall carefully abstain from contemptuous or reproachful expressions, and whatever has a tendency to irritation;—for we can hardly conceive how much evil may arise to the community from circumstances of this kind, which at other periods might seem too inconsiderable to be regarded. And I hope and trust, that in our intercourse with each other, we shall exemplify the gentleness of manners, the candor, benevolence and condescension which are the ornaments and bands of society, and which tend to moderate the zeal and conciliate the friendship of those who are of different sentiments. I am the more confident in these expectations, as we have only to exercise the temper of that Religion in which we have declared our belief, and which all of us profess to revere.

### CALEB STRONG

Council Chamber, June 5, 1812.

In the Senate, the Speech was committed to the Hon. Messrs Foote, White and Barlow:

SATURDAY, JUNE 6.

The Bill reducing the sum charged on rateable polls one half, was taken up and debated by Messrs. Churchill, Flint, Ransom, Seldon, Fessenden, Story, Stevens, Thatcher, Valentine, Lewis, Knapp, Endicott, Brown of Boston, Savage, & Deane of Dedham, and passed to be engrossed.

A message was received from the Governor, stating that he had received from Gen. Dearborn, a letter, stating, that it is necessary for him to purchase 14 acres of land in Pittsfield, for a rendezvous-hospital, &c. and praying that he (Gen. Dearborn) be authorized to purchase the same.

The Committee of contested elections unanimously reported a statement of facts concerning the election of Ezra Bacheelder from N. Brookfield, and that his seat be vacated, which report was accepted, and his seat vacated accordingly.

The committee of elections also reported statements of facts respecting the elections in Randolph, York, Sutton and Elliot, which reports were accepted by the house, but as a member gave notice that he should move for a reconsideration of the votes accepting said reports we shall defer giving an account of them till our next.

MONDAY, JUNE 8.

Ordered, that the Militia Law be so far amended that all seamen of this Commonwealth be exempted from Military Duty;—and that engine men may be made liable to the Draft within this Commonwealth whenever a Draft of the Militia is called for by the Government of the U. States.

A bill to change the name of Arundell to Kennebunk, was read twice, and to-morrow assigned for its third reading.

The bill exempting certain polls from taxation, was negatived.

Resolved, as the sense of this House, That an act entitled "an act dividing the Commonwealth into Districts for the choice of Counsellors and Senators," which passed 11th Feb. 1812, is unjust, partial, unconstitutional, in open violation of the principles of our republican institutions, and, under colour of law, is a flagrant assumption of power, which, if submitted to, will perpetuate the establishment of a despotic government over this Commonwealth. It is therefore expedient that the same should be repealed, and that provision should be made by law for new senatorial Districts—to the end that the rights and liberties of the people may be secured, and our republican government preserved. Sent up for concurrence.

The bill to encourage non commissioned officers and privates of the militia to uniform and equip themselves, by exempting them from the poll tax, was committed.

Messrs. Thatcher of Warren, Cobb of Boston, and Badley of Bridgewater, were appointed a committee to consider the expediency of endeavoring to obtain an amendment to the Constitution of the U. S. to the end that taxation and representation may be justly and equally divided throughout the nation.

Messrs. Russell of B. Walker of L. and Weld of B. were appointed a committee to report the amount of the deficiency in the accounts of Treasurer Skinner, and a statement of the proceedings which have hitherto been had on the subject.

The new Insolvent Law was negatived; but afterwards a committee of one member from each county was appointed to endeavor

to devise a system that would be acceptable.

The Senate have proposed to amend the State Constitution so that every town shall have one Representative, and it shall require 500 inhabitants to entitle it to two, and so on.

TUESDAY, JUNE 9.

Petitions—Of the towns of St. George and Bowdoinham, were read and committed.

A bill to repeal the Law for paying the Members of the House out of the public chest, passed to be engrossed.

### CONTESTED ELECTIONS.

The Committee on contested elections reported that the members returned from Elliot are entitled to their seats; that the elections of Peter Weare of York; of Abijah Burnap of Sutton; of Zenas French of Randolph, and of Jesse Minor of Westford, were utterly void and that their seats should be declared vacated; which reports were accepted by the House. It appeared that state paupers and students in the academy, under 21 years of age, who belonged in other towns, and went home Saturdays, were reckoned, in order to make up 375 polls.

The memorial of E. W. Ripley, referred from the last Court, was taken up, committed to Messrs. Mills, Putnam and Hall, and they were authorized to send for persons & papers.

A committee was appointed to inquire into the expediency of fixing towns which elect more representatives than they have a constitutional right to.

Wednesday, June 10.

The bill inflicting a penalty on towns for choosing more than their constitutional number of representatives, was taken up and debated by Messrs. Endicott, Story, Hall, Valentine, Kneeland, Phelps of B. Dodge, and Mills, and passed to be engrossed. The bill repealing a part of the law of June last, concerning the appointment of Clerks of the Courts; the bill to incorporate the village Aqueduct, in the town of Falmouth, passed to be engrossed; and a bill supplementary to an act, entitled "An act for providing and regulating prisons," was passed to be engrossed.

A bill granting appeals from decisions of Judges of Probate in certain cases was read twice.

Messrs. Porter of H. Hall of Sandisfield and Gurnson, were appointed a committee to consider the expediency of encouraging the militia of the Commonwealth by distributing among them a treatise on modern military tactics, with leave to report.

The bill to encourage the non commissioned officers and privates of the militia was referred to the next session of the General Court.

J. Thompson and others, praying for a new County in the District of Maine, were directed to give notice, &c.

Several Resolves of the Senate, on petitions to both houses, were concurred in by the house.

At 4 o'clock the reported answer to the Governor's Speech, was taken up according to assignment. After a debate in which Messrs. Child of P. Hall, Mattoon, Webb, Knapp, Brown of B. Holmes, Mills, Stevens, Merrill, Flint, and Lyman of N. H. took a part, was accepted, 296 affirmative, 148 negative, and the committee who reported it, was directed to present it to his Excellency.

The Senate have refused a second reading to the bill repealing the law respecting the appointment of Clerks of the Judicial Courts,

### By the Quills.

While the hopes of the merchant is bleeding, his heart blasted, and his future prospects destroyed by the conflagration of property on the ocean, a property intrusted to that element under the guarantee of the plighted faith of Madison and Bonaparte, how does our worthy president instruct our minister at the court of Paris to remonstrate against an act in which his own honour is so deeply incalculated? When America was an independent nation, the high minded representative of a great and powerful people, at a foreign court, would have demanded instant redress—he would have been commanded to have presented a manly remonstrance, teeming with reproaches for such consummate perfidy and baseness, and if his just complaints were not regarded immediately to have demanded his passport and returned. Mark, reader, how our minister is instructed to remonstrate! The murmur of such rare lipped delicacy and accents so soft, it reminds us of the poetick tale of the friendship between a nightingale and a Wren.

The U. States have also just cause of complaint against France, for many injuries that were committed by persons acting under her authority. Of these the most distinguished, and least justifiable, are the examples which occurred, of burning the vessels of our citizens at sea. Their atrocity forbid the imputation of them to the government. To it however, the U. States must look for reparation, which you will accordingly claim.

It is in vain to deny the fact, our nation is no longer independent. We are the vassals of Bonaparte and it is not safe or expedient for his subjects to complain; the will of our master must be obeyed—U. S. Gaz.

It is extremely to be regretted that the Democrats should have made the Circuit Courts of Common Pleas a mere creature of party. After it was ascertained that they had lost the public confidence, the Governor and Council appointed WILLIAM WIDGER and NATHAN CUTLER, Judges of that Court—These appointments evince, beyond all doubt, the intention with which these Courts were created, and seem to impose a

necessity upon the Legislature, as soon as the people shall be fairly represented in both branches, so to modify these Courts, as to rescue them from the Palladium so justly attached to them—Palladium.

Democratic Cavalcade.—The new Governor of New Hampshire was escorted into Concord by a Cavalcade! We thought from the Chronicle's observations, that Democrat's would on no account indulge in such a parade, and that no one of their party would accept of such honors!!

From the latest returns to the war department, it appears there have been 1799 men recruited for the New Army.

It is said Congress will make a rule inhibiting the publication, after the injunction is taken off, of any speeches made while in secret session.

Our warlike President has for a long time, been postponing his mighty ultimatum against Great Britain under the persuasion that the despatches by the Hornet would conclusively establish the honest fulfilment on the part of France, of all the reasonable expectations of the U. States, and that they would, moreover, encourage congress in their favorite war project. And, strange to tell, but as true as strange, this very Hornet did actually bring the public despatches an ex-official letter from our minister Mr. Barlow, bearing date on the day of his last public letter, viz—April 22, 1812, which, with other matters of the like tendency, does, instead of encouraging war, contain the following extracts:—

"My counsel to you is to avoid war. It is for us an evil of infinite magnitude compared with those we suffer."

"Look at the governments that have been drawn into the war to save themselves—or; have they succeeded?"

Again alluding to the Governments of Europe—"Do they not every one, great and small descend to the meanest modes of imposition and falsehood; not as grangers of war, but as stragglers of big; tricks for which an individual would be kicked out of society, or society itself must be overturned. But I ought not to doubt that you will conduct wisely."

Balt. Fed. Rep.

OFFICE SEEKERS are the most contemptible animals in all forms of Government. Those who are too idle to labour in private avocations to the satisfaction of their employers; or those, who if they do labour, have no talent to acquire reputation by action, are the sycophantic incumbents, or the hungry expectants of office. An office is not made for an individual; but for the public, who have no other interest in the incumbency, than that its duties should be ably and faithfully discharged. There is no earthly reason why those should be provided for, with an office, who cannot provide for themselves, which is always presumptive evidence of incapacity. There is one reason why a man who has been in the long enjoyment of an office should be continued in it to the exclusion of all others; and that is the presumption that the incumbent is better qualified from experience than any other man. If an office is of no value the incumbent ought not to complain if it is taken away for he loses nothing; if it is a good thing, and he has had his fair share at it, equal justice requires that his equally deserving neighbour should have his turn at the loaf too. We enter our protest against perpetual incumbencies but could wish that all salaries were increased, whenever were the incumbents. Perhaps it would be a good rule never to give an office to a man, who asked for one; leave it to those who administer this department of the Government to seek the most worthy citizens, inquiring only, "is he capable, is he honest, is he faithful to the constitution?"—Repertory

From the Boston Patriot of Wednesday last.

Among other instances of an increasing military spirit, I notice the late introduction of Rifle Companies into our militia. The first militia company of Riflemen ever organized in this State. I believe to have been lately at Portland. This company has done great honor to its officers, who have surmounted every difficulty in acquiring and teaching the proper discipline. And on Monday last a company of Riflemen (being the second organized in the Commonwealth) made their first appearance at Stoneham, in full uniform, and completely equipped, under the command of Capt. JONATHAN HAY. This company called the "Washington Rifle Greys" acquitted themselves with correctness; & performed many pleasing evolutions; and from the appearance of the officers and men, their ardor, spirit of subordination, and zeal to perfect themselves, it is presumed that in a few months they will rival the best disciplined companies in the Commonwealth. The men are all select, hardy, well proportioned yeomanry, tractable, able to bear any fatigue, and not unworthy to guard the sacred fame of the father of his country, whose name they assume. They are men, such as the Great Frederic would delight to review, and Washington himself be proud to call his life guard.

It is hoped the patriotic spirit of this company will be emulated, and the rifle discipline become more common in New England. This mode of discipline is peculiarly useful to a partizan corps, and ought to be encouraged, as, in the opinion of the best Generals riflemen should make a part of every detachment for perilous service; especially in a rough country, or in contending with undisciplined troops. They were of great service in the war of the revolution, and any future war, since the the-